

MINUTES OF A SPECIAL MEETING OF THE PLANNING COMMISSION OF THE TOWN OF CLARKDALE HELD ON MONDY, MARCH 8TH, 2004, IN THE MEN'S LOUNGE, CLARK MEMORIAL CLUBHOUSE, 19 N. NINTH STREET, CLARKDALE, ARIZONA.

A special meeting of the Planning Commission of the Town of Clarkdale was held on Monday, March 8th, 2004, at 6:00 p.m. in the Men's Lounge of the Clark Memorial Clubhouse.

Planning Commission:

Chairperson	Gary Hansen	Present
Vice Chairperson	Susan Sammarco	Present
Commissioners	Lew Dodendorf	Present
	Robyn Prud'homme-Bauer	Present
	Dewey Reiersen	Present

Staff:

Planning Director	Steven Brown
Planner II	Beth Escobar
Admin. Assistant	Linda Noland

OTHERS IN ATTENDANCE: Curt Bohall, Elizabeth-Rose Augusto, Howard Beck, George Anne Ford, Robin Bonfield, Hank Chaikin, Doug Von Gausig, Chris Boothe, Marsha Foutz, Peggy Chaikin, Bill Goss, Jim Koch, Mark Randall, Misha Randall, Pat Williams, Victor Sammaroc, Tom Evans, Hank Stevens, Jean Stevens, Nancy Bonfield.

CALL TO ORDER: The meeting was called to order at 6:08 p.m. A quorum was present.

PUBLIC COMMENT: Kurt Bohall, 721 Third North Street, Clarkdale. Mr. Bohall gave a short presentation on the use of gray water and also on re-circulation pumps. Mr. Bohall stated "gray water" is water from showers, washing machines, bathtubs and bathroom sinks. It can be reused on outdoor vegetation. Mr. Bohall stated the re-circulation pump allows for instant hot water. The unit could save an average three-person household more than 6,000 gallons of water a year, since most people wait between one and three minutes for hot water to reach the shower or bathroom sink. The cost of the unit is \$250 to \$350 for a homeowner to install. Mr. Bohall strongly recommended a change to the ordinance to allow

the use of gray water and to also require all new homes to install re-circulating pumps.

REPORTS

Chairpersons Report: Chairperson Hansen stated the Mountain Gate Work session on 3-1-04 was very productive and that the citizens group submitted a list of Preliminary Plat Stipulations for the Commission and Staff's consideration.

Planning Directors Report: Report By: Steven L. Brown, Planning Director.

Background:

The Planning Commission has held a Public Hearing on the proposed Preliminary Plat, and directed staff to work with Empire Companies on the remaining issues that have not been resolved. Some of those issues were outline in a letter from a group of residents that was dated January 11, 2004.

On Wednesday, January 15, 2004, Staff met with Empire Companies and the following is a discussion of the results of that meeting:

Street Grid and Alleyways:

Empire Companies is proposing to use the pedestrian paths to facilitate a pattern that achieves the pedestrian benefits of the grid section, but does not incorporate alleys, which they feel are not feasible for a variety of reasons in this project.

In a discussion regarding the Centerville access, Staff and Empire Companies agreed that it would be in the long term interest of both neighborhoods to provide for a through connection from Mountain Gate to Centerville. The connection proposed would utilize portions of Avenida Macias and Calle Medina, and would link up with Avendia Centerville. The connection to Broadway would still be developed, but the proposed connection from Mountain gate directly to Hwy 89A would be dropped, as no longer necessary. It should be noted that, with the inclusion of the Centerville access, the applicant no longer felt it necessary to have two 11th Street intersection (and staff agreed). We should also not that the southern access point will be a safer location for student pedestrian access as well.

Building Elevations:

It was agreed that Empire Companies will provide building elevations, and hold a public meeting to discuss these prior to the adoption of the Final Plat.

Hillside Improvements:

The cross-sections that will provide an understanding of how the steep grade areas will be handled and will be provided as part of the Technical Review phase.

Empire Companies have proposed a revision to the street system that would include a permanent connection to Centerville as part of the provision of a Collector Street linking Highway 89A with Broadway, and have agreed to provide an eight (8) foot landscaped buffer along their frontage and will have revised plans for review at the work session.

Empire Companies will provide either a view fence or a six foot split face block wall atop the retaining wall along their property line in the area of Hollow Reed Road.

Drainage & Retention:

There will be no alleyways, so the use of these for drainage will not be possible. The Arizona Department of Environmental Quality will require a AZPDES permit that will regulate their drainage discharge, and the Yavapai County Flood Control office has reviewed and commented on their Phase I and II Drainage Reports, and will do so for their Phase III Report, and will review and have control over work in or near the flood plains.

Historic Trails, Walking Trails, Bike Paths, and Open Space:

In an effort to provide opportunities for residents of Mountain Gate and the Town as a whole to travel by foot from Centerville to Old Town and from the Commercial property on 11th Street to parts of Mountain Gate and beyond, Empire Companies have agreed to revise their Final Development Plan to provide section details for the natural trails to be provided through the wash areas on the site, and to provide a trail connection to terminate at the Public Works Yard property off of 9th Street. While it is true that the historic paths will not be available, this may some ways replace those. The trails could also serve as pathways for students going from Mountain Gate and Centerville and the Clarkdale/Jerome School.

Lighting:

The Town of Clarkdale has recently adopted a comprehensive “Outdoor Lighting Code” (Section 24) as part of its Zoning Code, which incorporates by reference the state statute on “Light Pollution”. Further, the Mission Statement of the Outdoor Lighting Code is:

“To afford every citizen of Clarkdale the flexibility to engage in the pursuit of safe, inexpensive lighting practices for the purpose of commercial and private use without being impeded upon or impeding other citizens desiring a more pristine night time environment free from light pollution, waste, trespass, or clutter while providing nighttime safety, security and productivity.”

Additional Staff Comments:

Access:

In our discussions with Empire Companies, it was decided that the western most proposed emergency access into Centerville, could be provided as a through street to form the western end of the collector street that staff and the Commission have been negotiating with Empire Companies. This connection would be directed to coincide with the current intersection of Avenida Centerville and Hwy 89A. With this through connection in place, Empire Companies feel that the northern most entrance into the project from 11th Street is no longer necessary. Empire Companies are proposing to remove this access point and have only the one access point onto 11th Street through the Commercial property. There remains the issue of the safety of left turn movements off of 11th Street into the Mountain Gate project. With the estimated 172 pm peak hour right turn movements into the entrance, left turns into the entrance from 11th Street are going to be severely delayed as they compete for entry. The estimated 429 southbound peak hour vehicles along 11th Street will be backed up by the vehicles waiting to make their right turns, and create an extremely hazardous situation. It would appear that there will be an immediate need for a dedicated left turn lane on 11th Street, and because this project creates the resistance to right turns, the left turn lane should be provided by this applicant.

General Comment:

The Planning Department has reviewed the revised Preliminary Plat and Preliminary Improvement Plans and has the following comments:

Preliminary Plat:

1. Preliminary Plat must be revised to drop 2 lots leaving a total of 610 lots approved by Council as part of the PAD.
2. On page 4, the note on setbacks varying needs to be changed rewording not 2. The only variance in setbacks for front yards is with regards to corner lots being 20 feet front for all but Town Home lots. Town Home lots shall have a 10-foot front setback on corner lots. Single Family lots shall have a 10-foot side setback on corner lots facing street.

Proposed Fire Hydrant Locations:

We have a revised hydrant location plan that reflects the new street layout and need Fire Marshall review of hydrant locations, flows and construction details.

Preliminary Improvement Plans:

There are still numerous issues with the Preliminary Improvement Plans that have been submitted, and we will detail them in Exhibit "A" attached.

Traffic Impact Analysis:

We received the revised TIA for Mountain Gate late in the afternoon of Wednesday, March 3, 2004. The Town Engineers have not received a copy directly from Shepherd Westnitzer, as agreed by Shepherd. As our Engineer is out of Town until Thursday, March 11, 2004, will not have the benefit of their review of the Traffic Impact Analysis for your consideration.

I have asked the Engineer to pay particular attention to the conclusions that are drawn with regard to the improvements that may be necessary at the 11th Street intersection with the project access drive, the intersections of the collector street with Broadway and Hwy 89A. We are now talking about directing 55% of the traffic from Mountain Gate to the Hwy 89A intersection, and I will be seeking review from ADOT regarding any improvements that may be necessary at the round-about, or signalized intersection at Avendia Centerville.

On page 11, the report indicated that they will generate approximately 5,248 trips per weekday, however using the trip generations from the Town of Clarkdale Subdivision Regulations, that number is more like 5,674. The Regulations state that these figures are to be used unless the applicant can demonstrate that another approved method will better reflect local conditions. No such justification has been presented in this report. ADOT estimates that currently there are 2663 vehicle trips per day on 11th Street. With the addition of even 5,248 vehicle trips per day, that would result in trips being in excess of 3,000 trips per day, which the threshold for the classification of a street as an Arterial, according to the town of Clarkdale Subdivision Regulations. That would require a minimum 76 foot right-of-way and a minimum of 60 feet of paved surface. Currently 11th Street has a 100 foot right-of-way and approximately 32 foot pavement section.

This additional pavement section that would be required, could accommodate a left turn lane into the access to Mountain Gate, and alleviate traffic backup on 11th Street during peak hours.

ADOT has previously stated that at the time that the Commercial property is developed, the Cement Plant Road/11th Street intersection will meet warrants for a signal based on traffic volume.

Staff Recommendation:

Section 12-3-4F of the Town of Clarkdale Subdivision Regulations stipulates that:

Recommendations for approval by the Commission shall be based on the following findings, which should be included in any motion to approve:

- A. That the proposed subdivision conforms to the adopted goals, objectives and policies of the Town.
- B. That the proposed subdivision, as reviewed and approved, will not be detrimental to the public health, safety and general welfare.
- C. That environmental concerns conform with adopted standards.
- D. That the design of the proposed subdivision is sensitive to the physical characteristics of the site.
- E. That the proposed subdivision is consistent with provisions and intents of Zoning Code requirements applicable to the property.
- F. That the proposed subdivision conforms with the improvement standards and design standards set forth in these Regulations and other applicable town, County, State and Federal regulations.

Additionally, if the Commission chooses to recommend approval of this Preliminary Plat, the Planning Department would recommend that the following stipulations be considered to be applied:

- 1. Prior to the submittal of a Final Plat Empire Companies shall:
 - a. Have entered into an agreement between the owner of Yavapai County Assessor's parcel number 400-06-016M to permit the construction of the Collector road over that property and to develop an intersection with Broadway.
 - b. Have entered into a Development Agreement with the Town to include provisions that are designed to solidify stipulations covering various elements of the conditions for the approval of this Plat, as well as the PAD approval, and other issues identified through the review process. **Such elements may include, but will not necessarily be limited to the following:** the method by which wastewater treatment shall be provided to this project; and required participation on the part of Empire Companies in Improvement/Community Facilities Districts for the purpose of development of infrastructure components to serve this project; provisions for the joint maintenance of the park area and play/ball fields, as well as trails, and to share access to those facilities by all Town residents; provisions for the availability of the community building for use by all Town residents on a reasonable basis dependent on time availability.

2. During the Technical Review, Empire Companies shall provide construction drawings (in a recordable format to be specified by the Town of Clarkdale) which include the following off-site improvements:
 - a. The Major Collector Standard roadway connections to Hwy 89A and Broadway, including the off-site improvements necessary to construct the Collector road through parcel 400-06-016M to include a right turn deceleration lane for traffic exiting at the intersection of the Collector road and Broadway.
 - b. The improvements necessary to construct the Collector road on the perimeter of the Centerville neighborhood to include any necessary improvements to connect to the Collector Road with Avenida Centerville and /or 89A. The design shall be coordinated with the Town Engineer and ADOT engineers. Empire Companies shall also design the collector street as it passes by the Centerville neighborhood with a sound wall, constructed to mitigate the noise impact on the adjacent neighborhood.
 - c. The off-site improvement of 11th Street along the project's frontage, to the intersection of 11th Street and Cement Plant Road to include a roadway section that includes a dedicated left turn lane for vehicles entering the Mountain gate subdivision, dedicated right turn deceleration lanes of adequate length providing access into the project, and curb and gutter and meandering sidewalk throughout the project's frontage and including the Commercial property.
3. Also, during the Technical Review, Empire Companies shall provide construction drawings (in a recordable format to be specified by the Town of Clarkdale) which include the following improvements:
 - a. The improvements to the 11th Street frontage including a minimum 8 foot landscaped area the entire length of the project's frontage. A landscape plan shall be developed as a part of the Technical Review, and approved by the Planning Director. The landscape plan will include an indication of the plant materials to be used, size at planting and mature size, and shall also include a maintenance plan including irrigation system. The improvements to 11th Street shall be coordinated with ADOT as they approach the intersection with Hwy 89A, and include the recommended improvements provided by ADOT through their review of the Traffic Impact Analysis.
 - b. The improvements to the frontage with Avenida Macias including a minimum 8 foot landscaped area the entire length of the project's frontage on Avenida Macias. A landscape plan shall be developed as a part of the technical Review, and approved by the Planning Director. The landscaped plan will include an indication of the plant materials to be used, size at

planting and mature size, and shall also include a maintenance plan including irrigation system.

- c. The wall section as it abuts Tax Assessor's parcels 400-06-030B and 400-06-030L, and including a six foot site wall, or view fence atop any retaining wall to be constructed along that property frontage, at the option of the owners of those parcels.
 - d. Include the management of drainage, which is being directed to 11th Street and thence to the intermittent wash to the north east of the project, which enters the project from under 11th Street. Improvements shall include any necessary catch basins; drop structures, outfall structures, bank stabilization measures and culverts.
 - e. Include the hydrants and corresponding flow rates, and to respond to comments received from the Fire Marshall.
4. Identify on the plans an area, which could be set-aside for the purposes of the development of a school site to serve the projected 305 additional K-12 school students to be generated from this project. **As required by Arizona State Statutes**, the land set aside will be reserved for purchase by the Board, and said option shall be exercised by the Board within one year of the date of the approval of the Final Plat. Empire Companies may, alternatively, enter into an agreement with the Clarkdale/Jerome School Board to provide an in-lieu-of donation to cover the financial burden of the added enrollment.
- a. Include the design of the natural trails, and the walkways that are to make up their trail system through the project, including typical sections. The design of these elements must meet the approval of the Planning Director, and the town Engineer.
 - b. Include revisions that respond to the comments on the Preliminary Improvement Plans as detailed in attached Exhibits "A" and "B".
5. Landscaping for the Mountain Gate Subdivision shall utilize xeriscape and drought tolerant plant species, to the maximum extent practical.

Commissioner Prud'homme Bauer: made a motion to open the meeting to public comment.

Commissioner Dodendorf: seconded the motion. The motion passed unanimously.

Doug Von Gausig, 630 East Cliff Side Drive, Clarkdale. Mr. Von Gausig was representing the citizens group that met with the Planning Commission on Monday, March 1, 2004. Mr. Von Gausig present a list of 14 stipulations which were drawn up by the citizens group.

Mr. Von Gausig stated this project is approximately a hundred million dollar gross sales project, plus or minus. Most of the stipulations the citizens have will reduce that dollar amount by maybe six or seven percent.

Mr. Von Gausig read the following stipulations:

Mountain Gate Preliminary Plat Stipulations
March 5, 2004

1. All local streets will be 26' minimum pavement width, with gutters outside that width on both sides. Main collectors will be at least 36' wide with no on-street parking allowed.
2. All local residential streets will have concrete sidewalks on both sides of the street. if there is housing on only one side of a street only the side with houses needs to have a sidewalk.
3. "Cottages" will have a cumulative total of 20" of open space at their sides. This space can be allotted unequally, but in no case can any side setback be less than 7'. In the remainder of the housing areas there will be a cumulative total of at least 24' in side yard setbacks, and no side setback will be less than 10'.
4. The builders will provide an additional collector connection at Hwy 89A and Broadway. No more that two ninety degree turns will be necessary to get from Hwy 89A to Broadway along that collector. Acquisition of property rights and easements that are necessary to make these connections will be at the cost of the developer.
5. There will be a traffic signal and permanent striped crosswalks at the intersection of 11th street and the entrance to Mountain Gate. This signal will be controlled by an "on demand" button on both side of 11th and will remain green at all times unless a pedestrian has requested to cross. These will be provided by and at the expense of the developer. Warning strips, such as "rumble strips" will be places at appropriate distances in both directions from this crosswalk to alert traffic.
6. All homes along 11th Street will face 11th street. There will be a frontage street between those units and a landscaped buffer, which will be at least 15 feet wide. The buffer will separate 11th Street from the frontage street and homes. Alternatively the homes along 11th Street may be eliminated.
7. No walls higher that 36 inches will be permitted on the outer perimeter of the development except in cases where public safety is an issue. The Clarkdale Police and Fire Departments will determine where public safety is an issue that must be addressed with walls.

8. Roads connecting to or terminating at streets in Centerville will be permanent open connectors. No “crash gates” or emergency entrances will be used.
9. No residential street block will be longer than 660 feet without a cross street or terminus.
10. In the town home area of the development there will be in-unit parking sufficient to accommodate 2 cars for each unit, plus auxiliary paved parking lots to hold at least 60 vehicles. This will accommodate guest parking, etc. No town home unit will be farther than 200 feet from an auxiliary parking lot.
11. Landscaped “pocket parks” of at least 1000 square feet will be placed throughout the development such that no pocket park is farther than 1200 feet from any other park, including the large public park areas. These pocket parks will be connected by all-weather walking trails such that all can be accessed by pedestrians without leaving the trail system.
12. All streets, including those serving the town home area, will be dedicated to the Town of Clarkdale.
13. During the technical review phase and in time for public viewing and comment before final plat approval, the developer will provide complete sets of elevations for all cottages, houses, and town homes. These elevations will be reviewed by the public and the planning commission to ensure they meet the expectations of all concerned as to the overall quality and appearance of the development and to see that they match representations made by the developer in various public meetings.
14. All drainage from streets and gutters that would otherwise flow into the washes that end up at the Hollow Reed historic pool and spring sites shall be retained on the development site to prevent contamination of the springs from oil, chemical, and household pollutants. Alternatively such drainage may be discharged downstream from the springs.

Elizabeth-Rose Augusto, 940 Calle Tamollo, Clarkdale. Ms. Augusto stated she also had a list of proposals which she submitted to the Planning Commission. She read the three proposals, starting with number 3.

To the Planning and Zoning Commission re: Mt. Gate Development proposals.

- 3) May it be proposed that “pocket parks” be created in Mountain Gate to be located in spots where naturally low elevations exist (even is such “pocket parks have

only a bench or two and some desert landscaping) so that run-off rainfall could easily supply their watering needs. (Tom Evans suggestion)

- 2) May it be proposed that a “collector street” be created in Mountain Gate to connect Broadway with Hwy 89A such that it passes close to the north-west corner of Centerville but does not interface with any streets in Centerville. The space along Hwy 89A between a possible round-about at the intersection of Avenida Centerville and Hwy 89A and a round-about at the intersection of Hwy 89A and 11th Street is sufficient to allow for either a “right turn only” exit from the Mountain Gate collector street or even another round-about. (Elizabeth-Rose Augusto’s suggestion)
- 1) The road commonly referred to as “Centerville Road” (which is a private, dirt road that does presently connect Centerville with Broadway) is not considered a legal option by the town of Clarkdale for the residents of Centerville to use. Even though many of them seem to desire to use it as a “second entrance” to the neighborhood. Therefore may it be proposed that a “second entrance” to Centerville be the creation of an “emergency gate” at the north-eastern corner of Centerville onto Avenida Macias. This “emergency gate would allow quicker response time for fire trucks, and could also serve as a pedestrian trail to connect into Calle Carrillo and to Centerville Park.

Jim Koch, 1021 Calle Tomallo, Clarkdale. Mr. Koch stated he is a Fire Fighter for the Clarkdale Fire Dept. for 10 years. Mr. Koch stated emergency gates are a great idea, they look great and they work great until you have an emergency. When running “code-3” in an emergency, they do not have time to look for keys to open a gate. Mr. Koch state that Centerville has only one-way in and out. Recently there was an accident at Centerville road and 89A and the residents didn’t have a way out of Centerville for over an hour. Mr. Koch would like to see with the subdivision going in, at least one or two streets that connect with the Centerville area with no gate.

Mark Randall, 102 South Fifteenth Street, Clarkdale. Mr. Randall spoke about the 14 stipulations and the amount of work and effort put into them by the citizens group. Mr. Randall encourages the commission to take the time to study the details and proposals and to consider the stipulations.

Chris Boothe, 123 Sunset Blvd., Clarkdale. Mr. Boothe urged the Commissioners to have the developer adhere to Clarkdale’s General Plan because it is a legal document. In that plan it talks about the visual impact of this development next to Clarkdale and Centerville.

Peggy Chaikin, 215 Hollow Reed Lane, Clarkdale. Ms. Chaikin encouraged the Commission to look at all 14 stipulations which they proposed and also the Planning Directors recommendations. Ms. Chaikin also asked if the developer

took out a 404 permit from the Army Corp of Engineers to protect the wetlands. She was told by Brian Rhoton that the permit had already been submitted.

Planning Director Steven Brown stated he had met with representatives from the citizens group and went over their stipulations. Very minor recommendations for changes were made. The following are the comments from the Planning Director:

1. All local streets will be 26' minimum pavement width, with gutters outside that width on both sides. Main collectors will be at least 36' wide with no on-street parking allowed.

The Subdivision Regulations for the Town of Clarkdale stipulate the following standards for both Residential Collector Street and Residential Local Street: 24' pavement width, and 2' curb and gutter on each side. Mountain Gate is proposing the following standards for streets in Mountain Gate: Collector Street-28' pavement width and 2' curb and gutter on each side. Residential Local Street-20' and 24' pavement width, and 2' curb and gutter on each side.

The Commission could require the wider street widths for the residential streets, but it needs to recognize that Empire Companies has designed the collector in excess of what our Regulations currently stipulate.

2. All local residential streets will have concrete sidewalks on both sides of the street. if there is housing on only one side of a street only the side with houses needs to have a sidewalk.

The Subdivision Regulations stipulate sidewalks on both sides for Residential Collectors and Residential Local Streets, so it may be that the Commission wants to stipulate that here. It represents additional impermeable surface, and less recharge opportunity, but could be accommodated within the required 40' right-of-way.

3. "Cottages" will have a cumulative total of 20" of open space at their sides. This space can be allotted unequally, but in no case can any side setback be less than 7'. In the remainder of the housing areas there will be a cumulative total of at least 24' in side yard setbacks, and no side setback will be less than 10'.

The issue of density and to coverage was set in the approval of the PAD, and the Preliminary Plat must conform to those.

4. The builders will provide an additional collector connection at Hwy 89A and Broadway. No more than two ninety degree turns will be necessary to get from Hwy 89A to Broadway along that collector. Acquisition of property rights and easements that are necessary to make these connections will be at the cost of the developer.

The circulation system was set in the PAD approval, and the Preliminary Plat must conform that system.

5. There will be a traffic signal and permanent striped crosswalks at the intersection of 11th street and the entrance to Mountain Gate. This signal will be controlled by an "on demand" button on both side of 11th and will remain green at all times unless a

pedestrian has requested to cross. These will be provided by and at the expense of the developer. Warning strips, such as “rumble strips” will be placed at appropriate distances in both directions from this crosswalk to alert traffic.

The Commission could recommend this to the Council for their consideration in the formulation of the Development Agreement, however, it is likely that public safety will have some issues with this, and it will represent the only signal light in Clarkdale.

6. All homes along 11th Street will face 11th street. There will be a frontage street between those units and a landscaped buffer, which will be at least 15 feet wide. The buffer will separate 11th Street from the frontage street and homes. Alternatively the homes along 11th Street may be eliminated.

The Applicant is limited by the 610 units that were approved through the PAD approval process.

7. No walls higher than 36 inches will be permitted on the outer perimeter of the development except in cases where public safety is an issue. The Clarkdale Police and Fire Departments will determine where public safety is an issue that must be addressed with walls.

The Commission could recommend this to the Council for their consideration in the formulation of the Development Agreement, however, it must be noted that a 36” wall provides neither the privacy nor security for which they are intended.

8. Roads connecting to or terminating at streets in Centerville will be permanent open connectors. No “crash gates” or emergency entrances will be used.

The Commission could recommend this to the Council for their consideration in the formulation of the Development Agreement, however it is likely that the Centerville residents would have some objection to this proposal.

9. No residential street block will be longer than 660 feet without a cross street or terminus.

This limitation exists in the Subdivision Regulations for the Town of Clarkdale, okay in regards to cul-de-sacs, and all such instances have been addressed by Empire Companies.

10. In the town home area of the development there will be in-unit parking sufficient to accommodate 2 cars for each unit, plus auxiliary paved parking lots to hold at least 60 vehicles. This will accommodate guest parking, etc. No town home unit will be farther than 200 feet from an auxiliary parking lot.

The Commission could recommend this to the Council, however, this was discussed during the approval of the PAD, however and no such stipulation was attached to that approval.

11. Landscaped “pocket parks” of at least 1000 square feet will be placed throughout the development such that no pocket park is farther than 1200 feet from any other park, including the large public park areas. These pocket parks will be connected by all-weather walking trails such that all can be accessed by pedestrians without leaving the trail system.

This is an issue that could have been stipulated during the PAD process, however, no such stipulation was included. Empire Companies have provided over 57 acres of open space and parks as a part of the project.

12. All streets, including those serving the town home area, will be dedicated to the Town of Clarkdale.

It is not clear what this stipulation is intended to accomplish. The Town could be better off if all streets were private, from a maintenance standpoint.

13. During the technical review phase and in time for public viewing and comment before final plat approval, the developer will provide complete sets of elevations for all cottages, houses, and town homes. These elevations will be reviewed by the public and the planning commission to ensure they meet the expectations of all concerned as to the overall quality and appearance of the development and to see that they match representations made by the developer in various public meetings.

The applicants have agreed to and the Council stipulated in their PAD approval, that they will share the elevations with the public when they are available. The Town currently does not require Design Review for Single Family homes, and staff feels that if we are to require this in this instance, perhaps we should consider amending the Design Review Ordinance to require it of all single-family residences throughout the Town.

14. All drainage from streets and gutters that would otherwise flow into the washes that end up at the Hollow Reed historic pool and spring sites shall be retained on the development site to prevent contamination of the springs from oil, chemical, and household pollutants. Alternatively such drainage may be discharged downstream from the springs.

Drainage is an issue that will receive intense review by the Yavapai County Flood Control as well as the Town’s Engineer during Technical Review Phase.

Brian Rhoton stated he had no comments and would answer any questions.

Commissioner Reiersen asked Mr. Rhoton to go over the list of stipulations and give his comments. Comments Follow:

1. All local streets will be 26’ minimum pavement width, with gutters outside that width on both sides. Main collectors will be at least 36’ wide with no on-street parking allowed.

Mr. Rhoton stated the street widths have been set by the PAD and the design was based off recommendations and traffic studies. Stating the streets are wider than need to be.

2. All local residential streets will have concrete sidewalks on both sides of the street. if there is housing on only one side of a street only the side with houses needs to have a sidewalk.

Mr. Rhoton stated this was a discussion since the project began in June of 2003. It has been told to them that one-sided sidewalks was what was wanted and they based all negotiations on streets that had one-sided sidewalks.

3. “Cottages” will have a cumulative total of 20’ of open space at their sides. This space can be allotted unequally, but in no case can any side setback be less than 7’. In the remainder of the housing areas there will be a cumulative total of at least 24’ in side yard setbacks, and no side setback will be less than 10’.

Mr. Rhoton stated this too was addressed in the PAD, lot coverage and set backs.

4. The builders will provide an additional collector connection at Hwy 89A and Broadway. No more that two ninety degree turns will be necessary to get from Hwy 89A to Broadway along that collector. Acquisition of property rights and easements that are necessary to make these connections will be at the cost of the developer.

Mr. Rhoton stated this information was provided in the PAD. They worked with staff, the public, council, and the commission and are now to the point they are at.

5. There will be a traffic signal and permanent striped crosswalks at the intersection of 11th street and the entrance to Mountain Gate. This signal will be controlled by an “on demand” button on both side of 11th and will remain green at all times unless a pedestrian has requested to cross. These will be provided by and at the expense of the developer. Warning strips, such as “rumble strips” will be places at appropriate distances in both directions from this crosswalk to alert traffic.

Mr. Rhoton stated the schools have asked for money to bus the kids and after they find out what the schools want these issues can be addressed.

6. All homes along 11th Street will face 11th street. There will be a frontage street between those units and a landscaped buffer, which will be at least 15 feet wide. The buffer will separate 11th Street from the frontage street and homes. Alternatively the homes along 11th Street may be eliminated.

Mr. Rhoton feels their plan is the best plan for this stipulation. They are happy with their plan and feel it is the best.

7. No walls higher than 36 inches will be permitted on the outer perimeter of the development except in cases where public safety is an issue. The Clarkdale Police and Fire Departments will determine where public safety is an issue that must be addressed with walls.

Mr. Rhoton thought the current subdivision regulations allows for a 6' wall and that is what they are planning on putting in, up to 6'. On some of the lots, the decision will be left up to the homeowner.

8. Roads connecting to or terminating at streets in Centerville will be permanent open connectors. No "crash gates" or emergency entrances will be used.

Mr. Rhoton stated this issue was also discussed in their circulation plan with PAD and they came up with an emergency crash gate and this was all part of the circulation discussion. They did have two crash gates in there and council asked for a "thru" road through Centerville. They made that change and said they would leave the crash gate there for emergency purposes.

9. No residential street block will be longer than 660 feet without a cross street or terminus.

Mr. Rhoton feels Planning Director Steven Brown addressed this issue well and that this is poor design in street layout and also is a big safety issue and is not something they would want to be liable for.

10. In the town home area of the development there will be in-unit parking sufficient to accommodate 2 cars for each unit, plus auxiliary paved parking lots to hold at least 60 vehicles. This will accommodate guest parking, etc. No town home unit will be farther than 200 feet from an auxiliary parking lot.

Mr. Rhoton stated this has been addressed and will be in the site review. They plan on meeting current city code on this issue.

Mr. Binick stated as part of the reduction to the 610 units, they eliminated two lots and proposed the elimination in the town home area. This is considered for potential parking area.

11. Landscaped "pocket parks" of at least 1000 square feet will be placed throughout the development such that no pocket park is farther than 1200 feet from any other park, including the large public park areas. These pocket parks will be connected by all-weather walking trails such that all can be accessed by pedestrians without leaving the trail system.

Mr. Rhoton stated this has been discussed at length also. It was the developer and councils opinion that a large park was better than a bunch of little parks. That would be the situation if they were to put "pocket parks" in.

12. All streets, including those serving the town home area, will be dedicated to the Town of Clarkdale.

Mr. Rhoton is not sure where they got the idea that it was going to be all private streets. It has been their intention since they first started the process that the town home streets would be private and all other streets would be publicly maintained.

13. During the technical review phase and in time for public viewing and comment before final plat approval, the developer will provide complete sets of elevations for all cottages, houses, and town homes. These elevations will be reviewed by the public and the planning commission to ensure they meet the expectations of all concerned as to the overall quality and appearance of the development and to see that they match representations made by the developer in various public meetings.

Mr. Rhoton stated they have said they will meet with the public to discuss their elevations and how they feel about them. They have no "veto" right except for the Design Review Committee on the Town Home project. On that project they will be looking for Design Review guidelines. Currently there is no Design Review for single family homes and feels there is no need for one.

14. All drainage from streets and gutters that would otherwise flow into the washes that end up at the Hollow Reed historic pool and spring sites shall be retained on the development site to prevent contamination of the springs from oil, chemical, and household pollutants. Alternatively such drainage may be discharged downstream from the springs.

Mr. Rhoton stated this will be addressed by the 404 permit and also by the Yavapai County Flood District.

Mr. Binick stated he has been involved from the beginning in establishing the direction of some of the technical components. There was some issue about the sidewalks and Mr. Binick stated they had proposed the single sidewalk before staff and there was some discussion. Based on what they were proposing as far as the other facilities, trail systems and so forth, Mr. Binick stated there was not further direction provided to them to put in sidewalks on both sides of the roads. They did not get direction from staff to eliminate the sidewalks. They (Empire Companies) proposed the single sidewalks.

Doug Von Gausig, 630 E. Cliff Side, Clarkdale. Mr. Von Gausig wanted to address a few of the things that Mr. Rhoton went over. Mr. Von Gausig said, speaking for the citizens committee, he feels an incredible amount of frustration from the audience because in all stages in this process they have been making these same connections and have heard both from the Planning Commission Staff and Town Council that many of those things would be addressed in the preliminary plat or in the technical review or they would be addressed in a later stage. Mr. Von Gausig stated that yet tonight they heard, both from the developer and from the Planning

Director Steven Brown that many of these same recommendations they have made before and are making again tonight have already been addressed in the PAD and in the re-zoning of this property. Now what he is hearing, we have the street widths and the streets design all set out, the sidewalks already decided on in the PAD because it was discussed in some manner in a previous meeting or because the developer and staff sat down and the developer had a particular understanding of it. Mr. Von Gausig stated that he objects strenuously to this line of reasoning but simply because Mr. Rhoton or Mr. Binick sat down with staff in the past and might have discussed these things that they can not longer be changed. That is what we were here tonight for.

Mr. Von Gausig stated that as far as Mr. Rhoton's suggestion that buses will obviate an kind of a cross walk on 11th street is ridiculous. Buses taking children for ½ a mile from their homes to a school is what he is proposing rather than trying to do the safe thing and get kids across 11th street in some kind of a reasonable orderly manner. We are going to be running school buses for ½ a mile so kids get even less exercise than they currently get. Ridiculous! They feel good about certain decisions and they tell us other decisions are already cast in stone and that they won't make any money if they eliminate the 11th street houses. We are not in the business of making sure they make a buck. We are not in the business of making sure that Brian and his business make money.

Mr. Von Gausig stated that "as far as "pocket parks" necessitating elimination of space from the larger parks, you know if that's how they want to be good Clarkdale residents, good Clarkdale partners, and a good company that deals with us, and I really dislike that look on your face right now (stated to Brian Rhoton). You're not winning any friends with me! I think that's a disgusting attitude when he says we can't take anymore "pocket parks" because we need to take it from the bigger park and we're just not willing to take any more space anywhere else and give it to the citizens of Clarkdale or these future residents. That's disgusting! We did not intimate that all the streets were private in this development. We have always known that only the town houses had private streets. We suggested those be dedicated to the Town of Clarkdale to reduce the power and the necessitation of the homeowners association that both the town council and the planning commission have so strenuously objected to. I hear it over and over and over again, that the Town of Clarkdale has no right to design review of single family dwellings and I agree with that. It absolutely currently has no right. However, this developer has come to this community and told us time and again that their intent is to give us homes that will mirror the historic nature of our community as it stands now yet they refuse adamantly to show s one picture of what those homes are and keep telling us that we don't have the right to see them although their representations to get us to okay this thing have all been based on just exactly that. Jim Binick tells us that the staff has given him no direction to have sidewalks on two sides of the street. Well now is the time. If staff didn't mention it then, staff didn't mention it then. But this is the preliminary plat phase and I think you have every right to demand that at this stage of the development. As far as the full

time connection to Centerville and the connector from Broadway to 89A necessitating a crash gate at one end of Centerville, when we had straight line streets almost going to 89A in Centerville, the requirement for those crash gates was obviated. They were no longer necessary because you relieved Centerville of all the traffic that was going to be going through there if you didn't have those other connectors. Now we are back to a situation running traffic right past Centerville necessitating a bunch of walls and other stuff that aren't what any of you wanted in the beginning, they aren't what the community wanted and they are not what Centerville wanted. But now we are right back there. I have to tell you that I am appalled at the number of times that we have made suggestions to the town council, to the staff and to the developer and have heard so many time, "those will be handled in preliminary plat" and now they are trying to claim that all of those things were already set in stone by the PAD. I don't think they were"!

Brian Rhoton stated that "first off I would like to say that everything we said that would be handled in preliminary plat has been handled in preliminary plat. It's set forth by the town code what's handled in PAD and what's handled in Preliminary Plat. As far as the school crossing there, what I said was, the school wants bus money to bus the kids. A cross walk, yes. A lighted crosswalk? I don't know that that's even going to be used that much. That's still something that we have to look at and also looked at by all the public health and safety officials. I don't know why Mr. Von Gausig is so enraged and upset. We provided him a good platform to run his mayoral candidacy on". Commission "Order! Order!" Brian, "I was attacked, I know I was attacked! I am not out of order!"

Mr. Rhoton, "we have always said we want to mimic Clarkdale. Our elevations are going to do it. I have said time and time again that we will provide those elevations in public hearings, the community has no veto right on those, we are not going to go back on our word on those. They have not been designed yet because we don't have a set plot yet. Through our PAD we were given certain zoning rights and that is what we are going for as a property owner in this town. We are going to fulfill what we were given zoning for. I don't know what legal process has to happen for Council to re-open the PAD. We can through this one legal step at a time. That's not usually how we do business and that's not how we want to do business. The stipulations that they wrote have been the stipulations since the first time we got here and just because we have said "okay, we'll bend over and take those stipulations", that doesn't mean their stipulations are right our stipulations are wrong. We're saying we won't do them. That's how this goes. As a land developer and property owner in Clarkdale, we feel we have certain rights. We felt we made certain representations and we are going to stick to those. All these stipulations have been talked about and talked about and talked about. There is not a new one on here. They have been heard at all the public meetings. I don't know that there is a new one on here. They have been to public meetings, they have been to P & Z, they have been to Council and just because the group doesn't feel that their stipulations have been met don't mean they need to be a stipulation. We are a property owner and we have rights. We have just as much right as they do to develop their property, as we have to develop ours. We feel that we are

giving them an extremely good subdivision that we feel is unmatched. Other people have different ideas in Clarkdale right now. We feel it is a step up, it's the first big PAD master plan subdivision. We feel that we have done a good job. We don't agree with their stipulations. I am rambling like crazy, but I don't enjoy being attached just because I disagree with someone's point of view. If you have any questions for me regarding anything that Mr. Von Gausig said, I will be happy to answer them".

Chairperson Hansen stated to Mr. Rhoton, that he was sure Planning Director Steven Brown would agree, you have been very flexible with us and tried to adapt to our needs based on codes and zoning and requirements and your entitlements. We have small and in some cases, major differences in opinion and they have to be worked out somehow.

Mr. Binick stated, "We are not here to divide the community. Many time we become a dividing point. I have had some sidewalk sessions with some of our neighbors after our hearings and I can tell you that the frustration that I am sensing is also the frustration with the limitations that exist right now in the Town Ordinances. You are faced with a fairly large change and you actually have had very few changes in the last seven years and I think one of the things that Staff and the Commission and Council is going to be struggling with is really the tools that they have to work with current development design with current development activity, with current development philosophy, with current planning. There have been a lot of positive suggestions that have been made. We haven't said that they are wrong. We basically have indicated that the current ordinances, some of them are not at that level yet. We are volunteering to do some of these things. However we do not think it is a good precedence and I don't think their attorney would agree with this either. To agree to things that are in fact don't need to be agreed to at this point. In fact we would prefer to have a cooperative presentation of these elevations. I know the elevations have been looked for. So far the work has been done on a limited budget because we didn't know whether we were going to have a PAD, we didn't know whether we were going to have a preliminary plat. We still don't know until council takes action. A lot of these things require a great expenditure of funds. I don't think there is any intent on the part of Empire not to full fill these. I don't think they actually told you something and not fulfilled it. I think part of the issue is that we haven't been given a chance to fulfill them yet. They have to be businessmen; we have to look at their resources and I think it would be foolish certainly to expand a lot of resources when you really don't know what you are finally going to end up with. That does create some concerns about, "are these guys really the real thing or are these guys fall through, are these honest people before the podium"? Give us a chance to do that. I think now is not quite the time yet to throw those arrows at us. Maybe six months from now, but I don't think you'll have that chance. I think we will follow through".

There was a discrepancy of road widths on the preliminary plat. Mr. Binick verbally made the corrections. The roads for the town homes will be 20' public street 24' or wider and collector street 28'.

Commissioner Prud'homme-Bauer stated she does not have a problem with 24' width streets, and she would also like to see sidewalks on both sides in those areas if possible.

Mr. Binick stated they have a requirement to put in miles of trails and are not proposing sidewalks on two sides of the streets.

Commissioner Prud'homme-Bauer stated there are no tails in one whole section of the cottages and feels there needs to be sidewalks on both sides.

Commissioner Prud'homme-Bauer spoke about congestion on the 11th street intersection and asked Mr. Binick if they would consider being a part of a "round about" in that section to help with congestion.

At 8:25 Chairperson Hansen suggested a recess.

Meeting resumed at 8:45.

Chairperson Hansen told Mr. Binick, because of the time, he would now have 5 minutes to conclude his presentation. Then comment from the public would be heard with a limit of 5 minutes.

Mr. Binick stated they feel 36" is too short for a wall and they would prefer to go with the 6'. They agree with the length of streets. All streets will be dedicated except the town homes. Mr. Binick stated that prior to making any presentation to council, they will have a working session with the neighborhood for a preview of the elevations so they will be able to share their comments before they get to final plat.

Mr. Binick stated they are willing to participate in a "round about" in lieu of the signal in the future. Mr. Binick stated they will be willing to have something in the development agreement to allow them to financially participate in a "round about".

Mr. Binick stated that as for the sidewalks, on street 26 and 27, they could go with two sided sidewalks.

Mark Randall spoke to represent the public. Mr. Randall stated this group has come with a willingness to work with the developer to develop the best project possible. Mr. Randall stated they are not hearing any willingness on the part of the developer to meet them part way or to make any concessions. The point of frustration is the demonstrated lack of willingness. Mr. Randall also stated that

the public has not seen the set of documents that outline all of the things that have been passed and approved in the PAD. Mr. Randall stated that if there are other documents that are approved by reference in the PAD ordinance # 254, the language of the ordinance does not identify those documents and they do not know where those documents are or how the public can be aware of the contents. Mr. Randall felt this was a legal question.

Misha Randall 102 South Fifteenth Street, Clarkdale. Ms. Randall stated that she is really tired of hearing, “we’re happy with our plan”. Ms. Randall stated, we have someone coming into our community telling us they are happy with their plan and telling us what they are going to do with very little interest in the big concerns.

Commissioner Prud’homme-Bauer: made a motion to close the meeting to public comment. Vice Chair Sammarco: seconded the motion. The motion passed unanimously.

Chairperson Hansen asked the Commission members to comment on the project.

Commissioner Prud’homme-Bauer stated the project meets the objectives and goals in the General Plan for many areas including; circulation, open space, land use and topography. Commissioner Prud’homme-Bauer mentioned she is not pleased with the small streets with more intersections. She also stated she does not like the idea of the wall on 11th Street and prefers landscaping backyards. Commissioner Prud’homme-Bauer would like to see open view walls with Iron Gate work. Also asked for consideration of a “pocket park” behind the fire station.

Vice Chairperson Sammarco spoke about the stipulations she felt were important. Sidewalks are needed on both sides for toddlers to ride their bikes and a place to play rather than the other side of the street. Vice Chairperson Sammarco does not want the “crash gate” in Centerville and also spoke against the “wall” and suggested the shorter wire fence. She stated also that “pocket parks” build community.

Commissioner Dodendorf stated he appreciated the fact the developers cleared up the issues on the width of the streets. He also told the community he appreciates all their input. Commissioner Dodendorf feels the wall issue on 11th Street is not appealing. Also the 11th Street crossing is very disturbing and why bus the children ½ mile. Commissioner Dodendorf stated there is a need for access across 11th Street.

Commissioner Reiersen stated before going any further he would like to see a model of the development, including the steep inclines. Commissioner Reiersen stated the developers have not budged on density and this is concerning to him. Commissioner Reiersen stated that as the project stands right now, there’s no

going back. If we make this decision, there is no way we can correct it. We have to make positively sure that this is good esthetically and economically for the town of Clarkdale. Commissioner Reiersen stated that he is concerned about water. He also stated that he hasn't heard anything about the City Engineer monitoring the drilling of the well and monitoring the water issues. Commissioner Reiersen stated he feels we need to take a harder look at the development and that he feels at the present time he cannot go along with the project. Too many things are left untouched. Too many people, the density.

Chairperson Hansen stated the land is zoned R1, which is 4.3 homes per acre. The developer could choose to "stack them up". The developers have tried very hard to integrate different styles of housing to accommodate different levels of people. Chairperson Hansen stated, regardless of what anyone's feeling is that they haven't given anything, they have given a lot. They have made a lot of concessions one of which is our sewer treatment plant. Chairperson Hansen stated he is in favor of the plan. He also feels the 11th Street crossing is a major concern and needs to be addressed.

Chairperson Hansen: made a motion to approve the preliminary plat with the enclosed Staff Recommendations:

- A. That the proposed subdivision conforms to the adopted goals, objectives and policies of the Town.
- B. That the proposed subdivision, as reviewed and approved, will not be detrimental to the public health, safety and general welfare.
- C. That environmental concerns conform with adopted standards.
- D. That the design of the proposed subdivision is sensitive to the physical characteristics of the site.
- E. That the proposed subdivision is consistent with provisions and intents of Zoning Code requirements applicable to the property.
- F. That the proposed subdivision conforms with the improvement standards and design standards set forth in these Regulations and other applicable Town, County, State and Federal regulations.

Commissioner Prud'homme-Bauer: added to the motion the additional items as laid out:

Prior to the submittal of a Final Plat Empire Companies shall have entered into an agreement between the owner of Yavapai County Assessor's parcel number 400-06-016M to permit the construction of the Collector road over that property and to develop an intersection with Broadway.

1. Prior to the submittal of a Final Plat Empire Companies shall have entered into a Development Agreement with the Town to include provisions that are designed to solidify stipulations covering various elements of the conditions for the approval of this Plat, as well as the PAD approval, and other issues identified through the review process. **Such elements may include, but will not necessarily be limited to the following:** the method by which wastewater treatment shall be provided to this project; any required participation on the part of Empire Companies in Improvement/Community Facilities Districts for the purpose of development of infrastructure components to serve this project; provisions for the joint maintenance of the park area and play/ball fields, as well as trails, and to share access to those facilities by all Town residents; provisions for the availability of the community building for use by all Town residents on a reasonable basis dependent on time availability.
2. During the Technical Review, Empire Companies shall provide construction drawings (in a recordable format to be specified by the Town of Clarkdale) which include the following off-site improvements:
 - a. The Major Collector Standard roadway connections to Hwy 89A and Broadway, including the off-site improvements necessary to construct the Collector road through parcel 400-06-016m to include a right turn deceleration lane for traffic exiting at the intersection of the Collector road and Broadway.
 - b. The improvements necessary to construct the Collector road on the perimeter of the Centerville neighborhood to include any necessary improvements to connect the Collector Road with Avenida Centerville and/or 89A. The design shall be coordinated with the Town Engineer and ADOT engineers. Empire Companies shall also design the collector street as it passes by the Centerville neighborhood to mitigate the noise impact on the adjacent neighborhood.
 - c. The off-site improvement of 11th Street along the project=s frontage, to the intersection of 11th Street and Cement Plant Road to include a roadway section that includes a dedicated left turn lane, round-about, or other adequate alternative to be reviewed and approved by the Town's Engineers, for vehicles entering the Mountain Gate subdivision, dedicated right turn deceleration lanes of adequate length providing access into the project, and curb and gutter and meandering sidewalk throughout the project=s frontage and including the Commercial property.
3. Also, during the Technical Review, Empire Companies shall provide construction drawings (in a recordable format to be specified by the

Town of Clarkdale) which include the following off-site improvements:

- d. The improvements to the 11th Street frontage including a minimum 8 foot landscaped area the entire length of the project=s frontage. A landscape plan shall be developed as a part of the Technical Review, and approved by the Planning Director. The landscape plan will include an indication of the plant materials to be used, size at planting and mature size, and shall also include a maintenance plan including irrigation system. The improvements to 11th Street shall be coordinated with ADOT as they approach the intersection with Hwy 89A, and include the recommended improvements provided by ADOT through their review of the Traffic Impact Analysis.
- e. The improvements to the frontage with Avenida Macias including a minimum 8 foot landscaped area the entire length of the project=s frontage on Avenida Macias. A landscape plan shall be developed as a part of the Technical Review, and approved by the Planning Director. The landscape plan will include an indication of the plant materials to be used, size at planting and mature size, and shall also include a maintenance plan including irrigation system.
- f. The wall section as it abuts Tax Assessor=s Parcels 400-06-030B and 400-06-030L, and including a six foot site wall, or view fence atop any retaining wall to be constructed along that property frontage, at the option of the owners of those parcels.
- g. Include the management of drainage which is being directed to 11th Street and thence to the intermittent wash to the north east of the project which enters the project from under 11th street. Improvements shall include any necessary catch basins, drop structures, outfall structures, bank stabilization measures and culverts.
- h. Include the management of drainage which is being directed to the wash that runs along the northern boundary of the property. Improvements shall include any necessary catch basins, drop structures, outfall structures, bank stabilization measures and culverts.
- i. Include the hydrants and corresponding flow rates, and to respond to comments received from the Fire Marshall.
- j. Identify on the plans an area, which could be set aside for the purposes of the development of a school site to serve the projected 305 additional K-12 school students to be generated from this project. **As required by Arizona State Statutes**, the land set aside will be reserved for purchase by the Clarkdale/Jerome School Board, and said option shall be exercised by the Board within one year of the date of the approval of the Final Plat. Empire Companies may, alternatively, enter into an agreement with the Clarkdale/Jerome School Board to provide an in-lieu-of donation to cover the financial burden of the added enrollment.
- k. Include the design of the natural trails, and the walkways that are to make up their trail system through the project, including typical sections . The

design of these elements must meet the approval of the Planning Director, and the Town Engineer.

- I. Include revisions that respond to the comments on the Preliminary Improvement Plans as detailed in attached Exhibits >A= and >B=.
3. Landscaping for the Mountain Gate Subdivision shall utilize Xeriscape and drought tolerant plant species, to the maximum extent practical
4. Road numbers 26 and 27 shall be completed with sidewalks on both sides.
5. Streets should be constructed with the following pavement widths:
 - a. Collectors: 28 feet
 - b. Public: 24 feet
 - c. Private: 20 feet
6. A copy of the Citizen's Stipulations submitted to the Planning Commission at their March 8, 2004 meeting (along with staff comments) is forwarded to the Town Council for their review and consideration.

Commissioner Dodendorf: seconded the motion. Vice Chairperson Sammarco stated, "for the record I can not support the sidewalk issue for the reasons I have previously stated. I feel sidewalks should be throughout the entire community".

Commissioner Prud'homme-Bauer stated, "for the record, we have taken a lot of time on this issue and we have listened seriously and as I have said before we don't always get what we want. I know there is more discussion ahead so I feel we have done a more than adequate if not very good excellent job on this. To the developers, thank you for being here and to the public, thank you for being here".

A vote was asked for.

The motion passed with a 4-1 vote.

ADJOURNMENT: With no further business to discuss the meeting adjourned at 9:55 p.m.

APPROVED BY:

SUBMITTED BY:

Gary Hansen
Chairperson

Linda Noland
Administrative Assistant

